

REMARKS

Claims 1-13 are pending in the application. Claims 1 - 4, 6, 7, 11 and 13 are being amended. Claim 14 is being added. In respect to claims 2, 3, 4, 6, 11 and 13, Applicants present minor linguistic changes mainly related to the use of articles "a" and "the," whereas the new claim 14 relates to a computer-readable memory containing a computer program that is executable by a processor to perform the method recited in claim 7. The support for this amendment can be found in the specification with reference to Fig. 1 as well as the description of Fig. 1.

Priority under 35 U.S.C. § 119

Applicants note that the Examiner acknowledged a claim for foreign priority under 35 U.S.C. § 119(a)-(d) to Polish Patent Application No. P-358733 filed February 14, 2003 and confirmed that all certified copies of the priority documents have been received.

IDS

Applicants note with appreciation that the Examiner has considered the information disclosure statement (IDS) submitted on February 10, 2004 and made of record in the application file.

All outstanding requirements will now be addressed in the order they appear in the Office Action mailed October 11, 2007.

2-6. Claims 1, 5-10, and 13 stand rejected under 35 U.S.C. 102(b) as being allegedly anticipated by Euroloader, "Technical Specification of a European Loader for Multimedia Terminals for Cable and Cable Modems, December 2001. Applicants have amended claims 1, 3, 4, 6, 7, 11 and 13.

As per independent claim 1, the Examiner states that "decompressing program of the loader" is present in the specification of the Euroloader with reference to the MD5 calculation and

that the decompression of the loader is covered by the successful verification of the loader according to the Euroloader specification.

Applicants respectfully disagree. MD5 is a cryptographic hash function with a 128-bit hash value. It is employed in a wide variety of security applications, and is also commonly used to check the integrity of files. An MD5 hash is typically expressed as a 32-character hexadecimal number. In particular, it is used in Euroloader to perform verification of the loader. The purpose of MD5 use in Euroloader is thus to check the integrity of the loader.

In contrast, the present invention relates to decompressing program of the loader, where checking of the integrity is only an optional and non-essential part of the decompression algorithm. The purpose of the present invention is thus compressing (i.e., limiting the size) of the loader, which is not taught or recited in Euroloader.

Therefore, Euroloader does not teach or recite the decompression required in claim 1 and requires different techniques to operate.

Moreover the quoted successful verification of Euroloader has nothing to do with the decompression of claim 1 per se. It is, however, true that the decompression process may be subsequently verified in order to establish whether it has been successful, which in fact was described in the original specification with reference to Fig. 3 step 308. It is nevertheless evident that the verification step is optional and was not included in the claim 1 as filed.

Additionally, the specification of Euroloader does not mention that a section of RAM has to be declared as ROM as is the case in embodiments of the present invention. The purpose of this declaration is described in paragraph 24 of the application: "...Uncompressed loaders may be located in any available memory segment. In the case of the compressed loader, permanent memory addresses are used, in order to assure proper references to locations containing variables, constants or pointers to functions..."

Because the specification of Euroloader does not mention, by any means, a possibility of adding decompression to the loader and as has been presented, by the above explanations, the prior art does not suggest the desirability of the claimed invention, the Applicants respectfully submit that the subject matter of the independent claim 1 is patentable.

In order to further clarify the scope of claim 1, Applicants submit that 'data exchange' wording has been inserted before "interfaces." The support for this clarification can be found with reference to Fig. 1 element 140 in the specification as filed.

Applicants submit, with reference to the above presented arguments, that the independent claim 1 is non-obvious over the cited prior art.

As per independent claim 7, the Examiner states that copying data to FLASH memory equals copying data to RAM memory, section of which is declared as ROM memory. Applicants respectfully disagree. The specification of Euroloader does not disclose identification of a section of RAM memory as ROM memory.

Applicants have additionally amended claim 7 by addition of the wording "decompressing the software containing the loader", which makes claim 7 consistent with the independent claim 1. Hence novelty and non-obviousness argumentation presented with reference to the independent claim 1 applies also to the independent claim 7.

Applicants respectfully submit, with reference to the above presented arguments, that the independent claim 7 is non-obvious over the cited prior art.

Accordingly, Applicants respectfully request withdrawal of the rejection with respect to claims 1 - 4, 6, 7, 11 and 13 as amended and to claims 5, 8-10 and 12 as originally filed in view of the explanation presented above.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that the pending claims are in condition for allowance. Early and favorable reconsideration is respectfully solicited. Should an extension of time be required, Applicants hereby petition for same and request that the extension fee and any other fee required for timely consideration of this submission only be charged to **Deposit Account No. 503182**.

Customer Number: **33,794**

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Respectfully Submitted,

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